

## REMARKS

This application has been carefully reviewed in light of the Office Action dated May 16, 2005. Claims 1 to 52 are in the application, of which Claims 1, 40, 46, 49 and 52 are independent. Reconsideration and further examination are respectfully requested.

Applicant thanks the Examiner for his cooperation in the renumbering of duplicated Claims 13 and 14. The Examiner's renumbering of these claims (to Claims 44 and 45, respectively) has been maintained in this Amendment.

All of Claims 1 to 45 were rejected under 35 U.S.C. § 103(a), primarily over U.S. Patent 5,784, 702 (Greenstein) in view of U.S. Patent 5,696,701 (Burgess). Reconsideration and withdrawal of these rejections are respectfully requested.

The invention concerns remote deletion, via a network, of firmware in an image forming apparatus or in a multifunction network device that includes image forming capabilities. According to the invention defined by Claim 1, a reconfiguration command is sent via the network to a target multifunction network device, and a confirmation message is received via the network that the target device has been reconfigured in accordance with the reconfiguration command.

The reconfiguration command is a deletion command to delete at least one function module, or a reallocation command to reallocate an amount of hardware resources available for use by a plurality of such function modules.

Greenstein relates to dynamic reconfiguration of the physical configuration of a system, which is initiated by a reconfiguration request transmitted from a configuration controller to a “hypervisor” that executes in one or more partitions of the system. As Applicant understands Greenstein, however, it is unrelated to network communications. Accordingly, Applicant respectfully disagrees with the comment at page 3 of the Office Action which states that “Greenstein discloses a method for managing a multifunction network device on a network”. Indeed, page 3 of the Office Action includes a concession on Greenstein, stating that it “does not explicitly disclose a plurality of multifunction network devices”.

Because Greenstein is unrelated to network communications, it could not possibly provide any guidance to those of ordinary skill in the network environment, and specifically could not provide any guidance on sending and reception, via a network, of a reconfiguration command and a confirmation message, particularly as concerns a reconfiguration command for deletion of a functional module or reallocation of hardware resources available for use by a plurality of such functional modules. In this regard, Applicant respectfully disagrees with the assertion at page 3 of the Office Action that Burgess is “from the same field of endeavor”. That is, although it is true that Burgess describes network functionality, it is not true that Burgess is “from the same field of endeavor” since Greenstein is unrelated to network communication. As a consequence, those of ordinary skill with knowledge of the Greenstein patent would not have been motivated to refer to the Burgess patent because of the disconnect between the non-network environment of Greenstein and the network environment of Burgess.

It is therefore respectfully submitted that Claims 1 to 45 would not have been obvious from any permissible combination of Greenstein and Burgess, or any permissible combination of Greenstein and Burgess together with the various secondary references applied against these claims.

New Claims 46 to 52 have been added and are believed to be patentable. These claims refer to an image forming apparatus which communicates with an external data processing apparatus, and define reception of a deletion notification sent from the external data processing apparatus via a network, together with a corresponding deletion of at least one firmware program module in accordance with the deletion notification. The art of record has been reviewed but is not believed to disclose, or fairly suggest, a remote deletion command, via a network, of firmware for an image forming apparatus. Allowance of these claims is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

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